

CAN'T UNSEE: PERSPECTIVAL DOGWHISTLES & DENIABILITY

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CONTENT NOTE

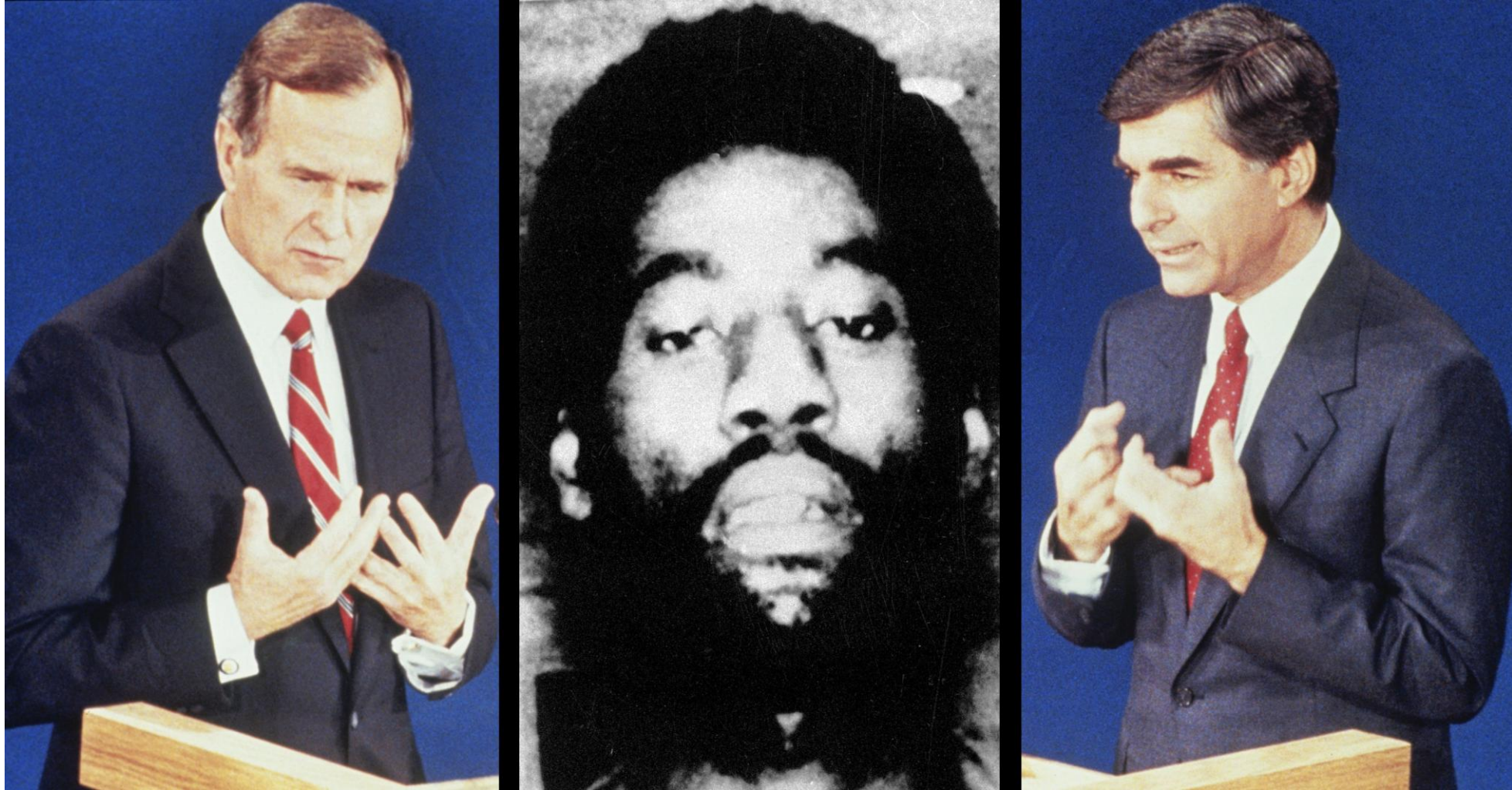
- This talk will discuss, quote, and display racist messages.

THIS PAPER, IN OVERVIEW

- Discuss a wide range of previously under-discussed examples of manipulative communication.
- Argue that these meet key criteria for dogwhistles, but that:
 - They lack plausible deniability, which is usually a feature of dogwhistles.
 - Unlike most dogwhistles, the ability to understand the less obvious message does not turn on background information, but perceptual perspective.
- For us, these constitute a new kind of dogwhistle: perspectival dogwhistles.
- For others, they may not count as dogwhistles.
- Main point: They are interesting relatives of dogwhistles, and deserve more discussion.

DOGWHISTLES: PARADIGM CASES

- Willie Horton Advert



DOGWHISTLES: PARADIGM CASES

- '88'



BENEFITS OF/MOTIVATIONS FOR DOGWHISTLE USE

- Transmitting messages, influencing people without detection
- Causing unwitting people to spread messages they might reject (unintentional use)
- Plausible Deniability

TWO KINDS OF DOGWHISTLE

- **Covert Effect** (e.g. Willie Horton advert): influence audiences without their awareness



- **Overt Code** (e.g. '88'): sends message to particular group, meant to be fully understood by this group and not by others



INTENTIONAL COVERT EFFECT DOGWHISTLE

- Intended to influence audience in ways they are unaware of, and to conceal this via a covering message.
- Example: Willie Horton ad, as created

UNINTENTIONAL COVERT EFFECT DOGWHISTLE

- Unintentional use of term, image, commercial, etc., which was designed as an intentional covert effect dogwhistle.
- Example: all the news broadcasts re-playing the Willie Horton advert.

INTENTIONAL OVERT CODE DOGWHISTLE

- Covering message which conceals another message, meant to be consciously received by a subgroup.
- Example: '88' as used by Nazi on a tattoo

UNINTENTIONAL OVERT CODE DOGWHISTLE

- Unintentional use of term, image, etc which has been used as intentional overt code dogwhistle.
- Example:



SUPPORT RECONCILIATION
INITIATIVES ACROSS CANADA
**WE ARE ALL
#TEAM88**

PLAUSIBLE DENIABILITY

- ‘Deniable’ often means *plausibly deniable*. This is our focus here.
 - Very broadly, a person has plausible deniability for some utterance (relative to an audience) when the audience is in an insufficiently strong *epistemic* position to hold them accountable for some feature of that utterance.
 - Compare:

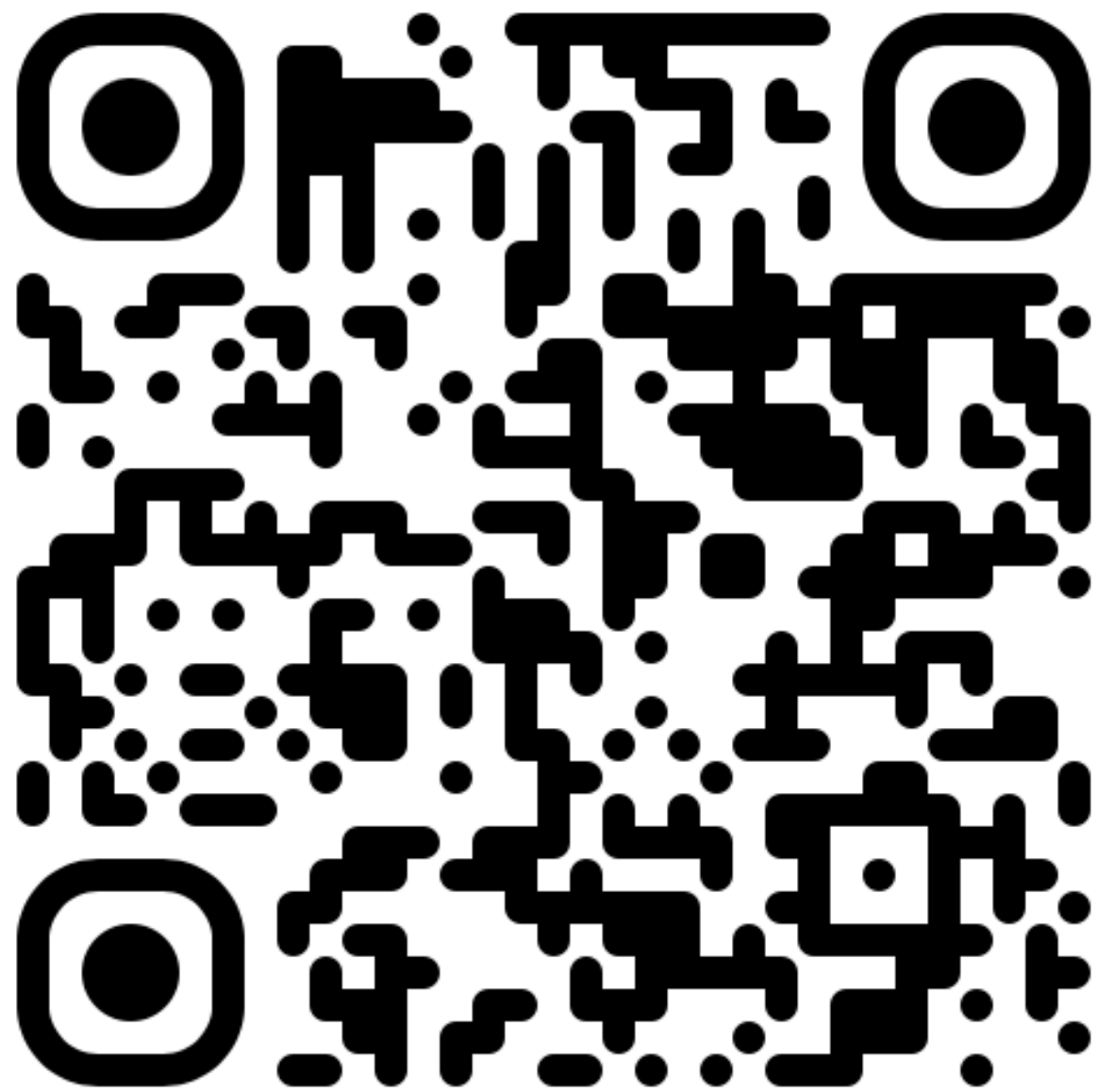


OUR CLAIM

- The cases we will discuss meet definitions of ‘dogwhistle’, but they lack plausible deniability *due to the way they are made*.
- We will see that they also differ from most dogwhistles in terms of what’s required to understand them fully.
 - Most dogwhistles: what’s needed is knowledge
 - These: what’s needed is particular perspective (in the perceptual sense)

WE'RE ABOUT TO SHOW A QR CODE

- The code will send you to a JPG online.
- It's important that you view it on a phone, at a normal viewing distance.
- If you want to look on someone else's phone, have them pass it to you—try not to look from far away.
- Distance of viewing is very important to the effect that we want to show you and discuss.
- Not everyone will experience the effect, but our experience suggests most people will.



USE CASE

- More easily apprehended from a distance, or if you narrow your eyes
- Accompanying discourse: *moderators* unlikely to see the message
- This example: proof of concept?



HOW ARE ILLUSION DIFFUSION IMAGES MADE?

Prompt
Type what you want to generate

Medieval village scene with busy streets and castle in the distance

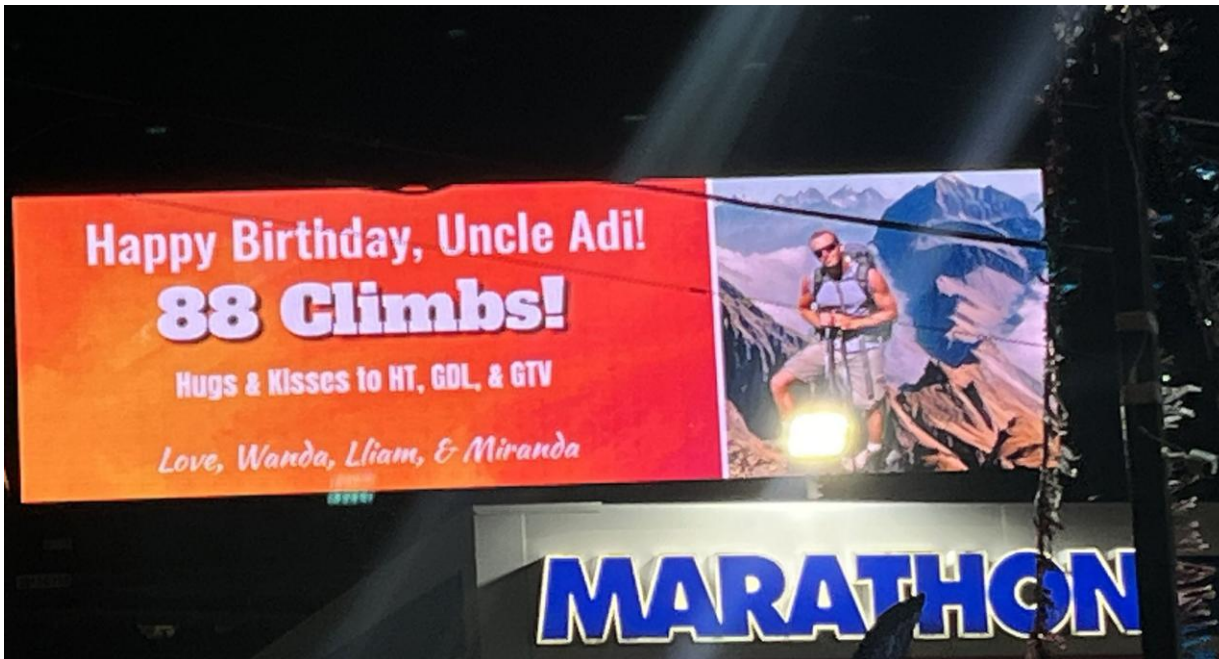
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1. WLM MICHIGAN EXAMPLE

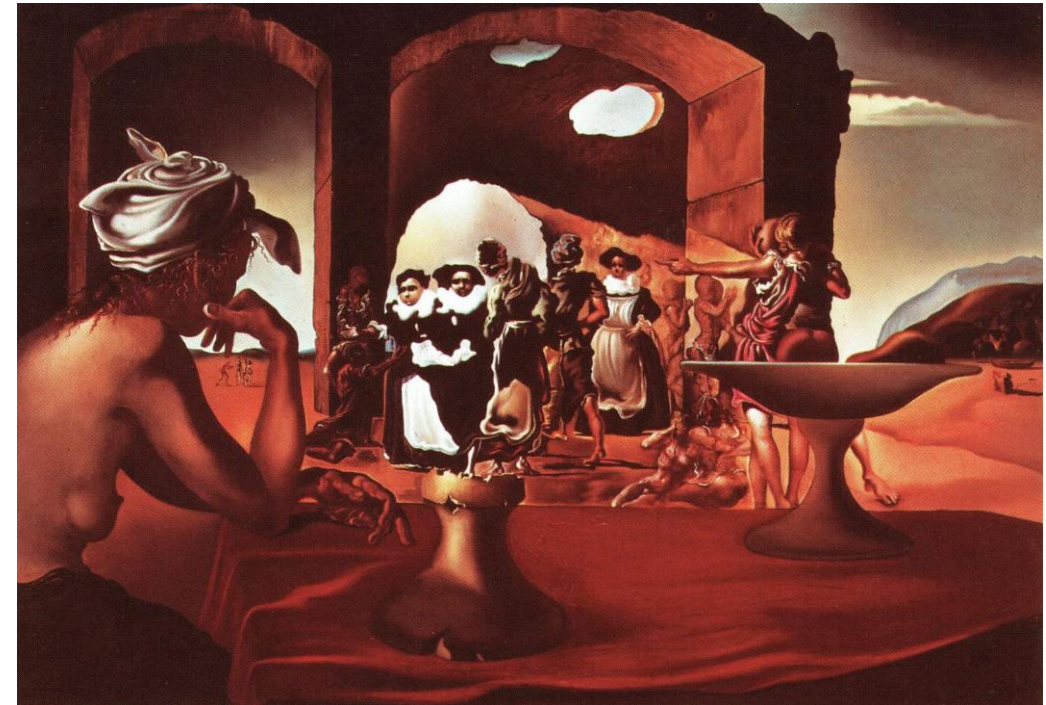
- Already since exploited by bad actors: WLM Michigan's "4/20 Day of Action"
- Purchase of digital billboard space in Detroit area
- Intent: bypass moderators (billboard staff)
- Not deniable



ILLUSION DIFFUSION: DOUBLE IMAGE



- Illusion diffusion: long known as “double image”
- Now: easier to create and therefore operationalise
- Likely to bypass human moderation
- Very likely to bypass algorithmic moderation



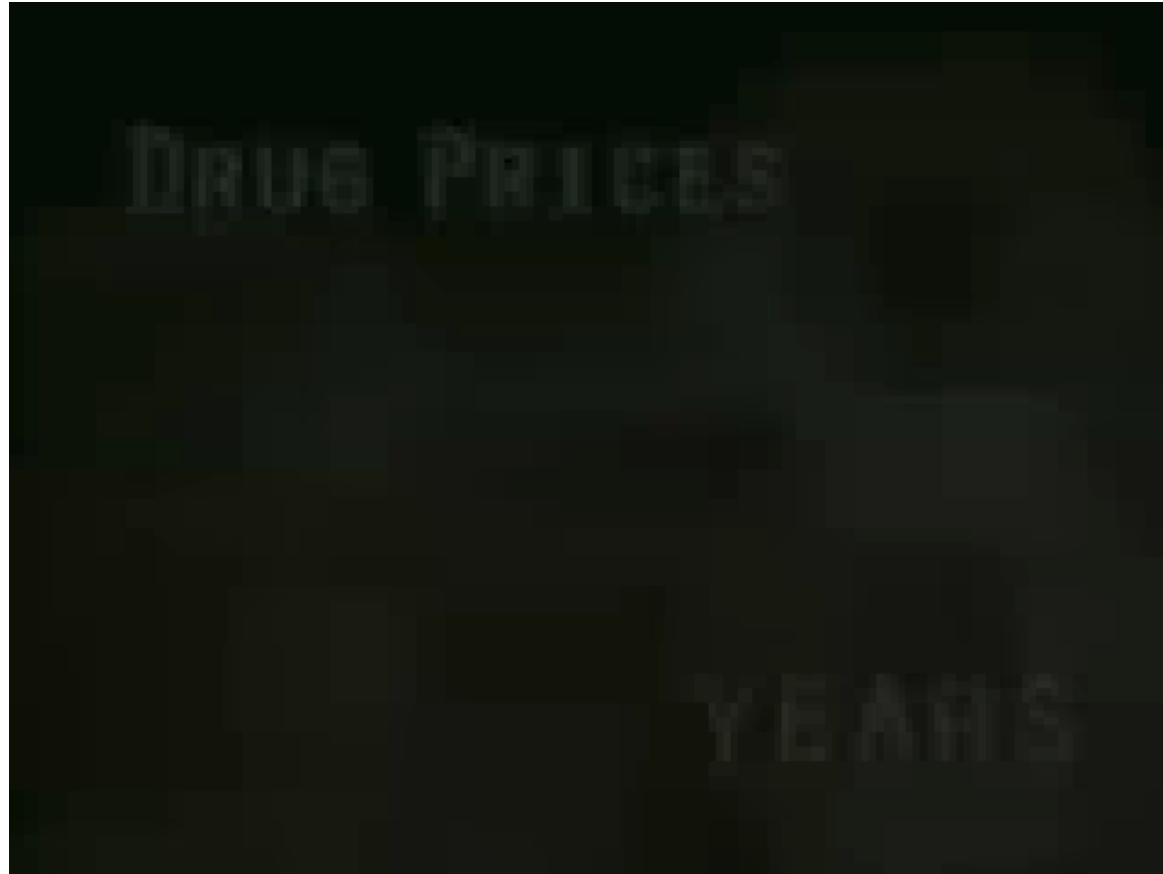
G Arcimboldo, *Spring* (1563; Paris, Louvre) • S Dalí, *Slave Market with the Disappearing Bust of Voltaire* (1940; Dalí Museum, St Petersburg, Florida)

INTENTIONAL OVERT CODE DOGWHISTLE?

- Covering message which conceals another message, meant to be consciously received by a subgroup.
- This seems to occur in Illusion Diffusion cases, although the concealment is likely to be only temporary.

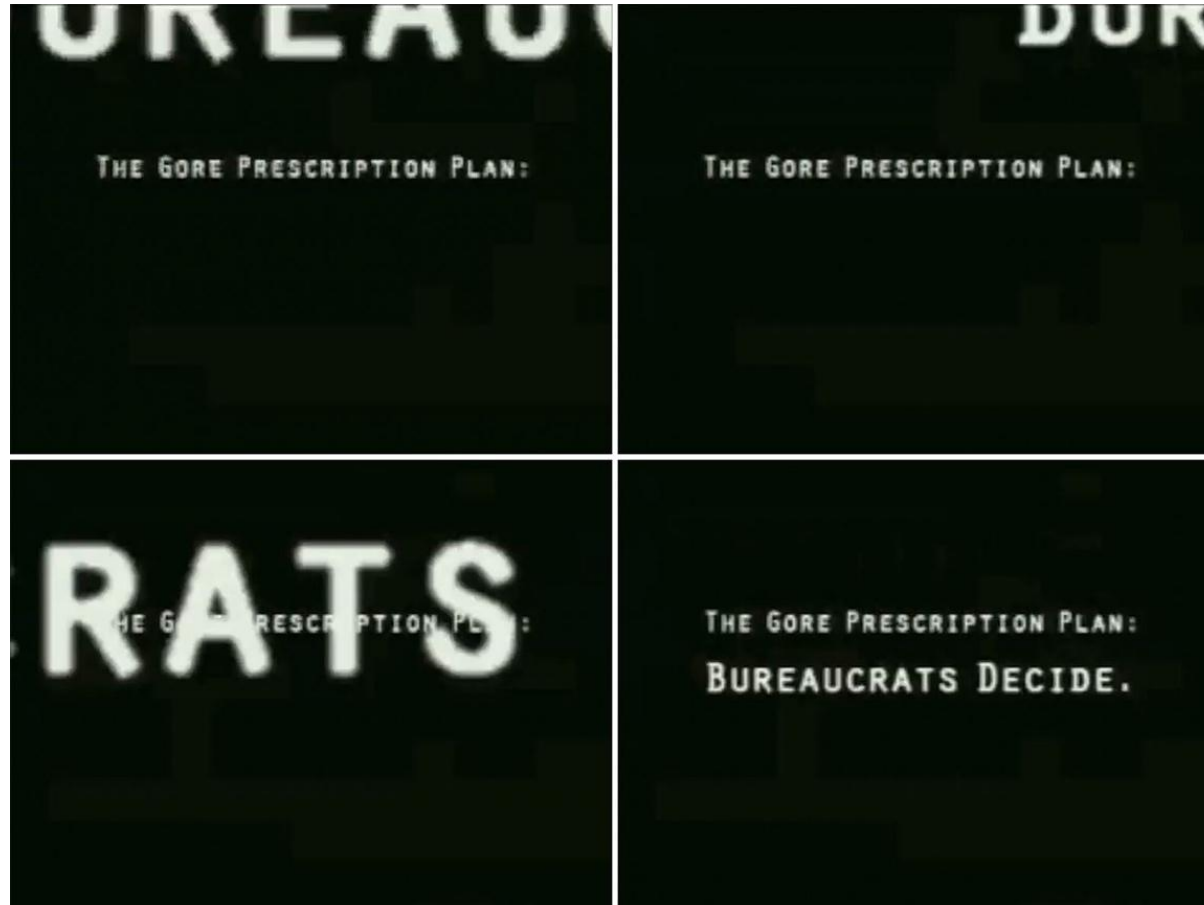
2. GW BUSH HEALTH PLAN ADVERT (2000)

- George W Bush's advert, used against Al Gore in the 2000 US presidential election, claimed that under Gore's health plan bureaucrats would decide on medical matters



BUREAUCRATS—OR RATS?

- At one key point, the word “BUREAUCRATS” flickers onto various parts of the screen. As it flickers into focus, for 1/24th of a second, the word “RATS” appears in capitals larger and more clearly than any other text in the advertisement.

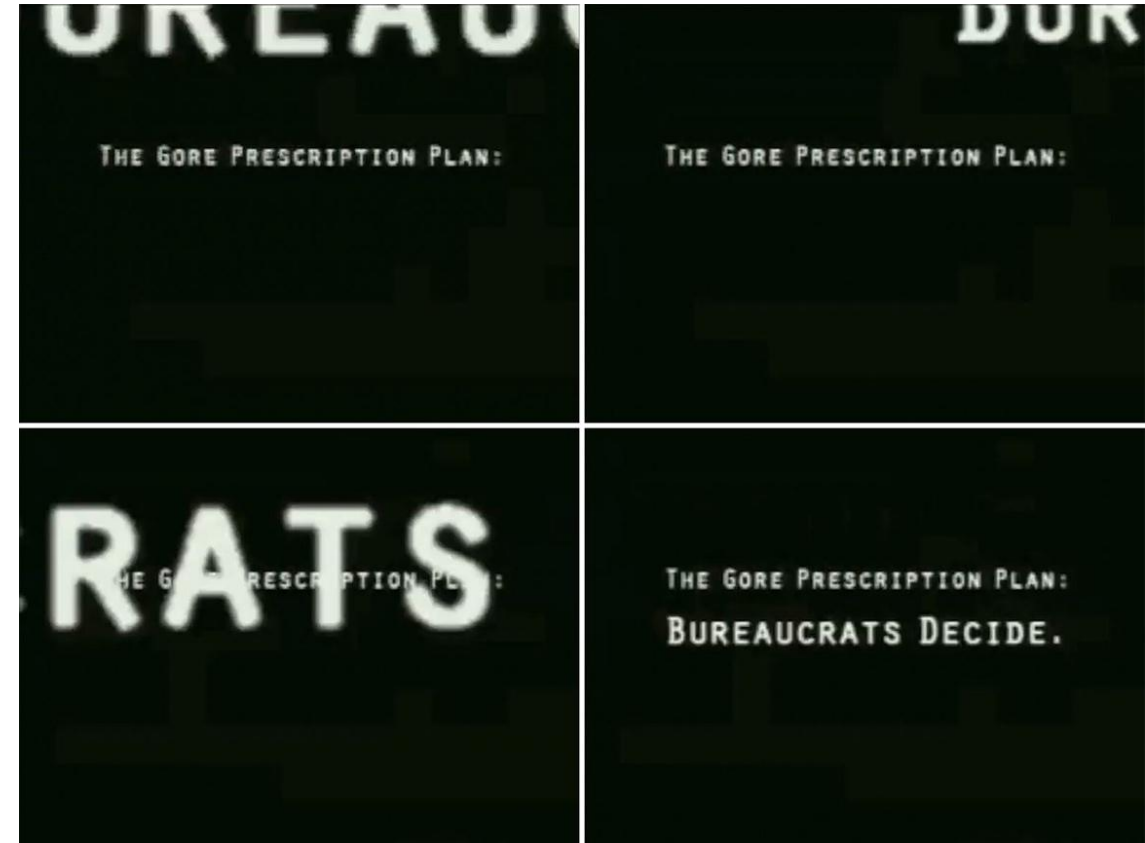


SUBLIMINAL ADVERTISING

- Looks like intentional covert effect dogwhistle, *if* it works as intended
- Compare to Willie Horton advert:
 - Both adverts work (if they do) by affecting viewers without their awareness (NB: there *is* some evidence that they do work)
 - Both adverts have a covering message—crime, bureaucrats—that's meant to be the conscious focus
 - Both are intended to work on viewers in this way

DENIABILITY?

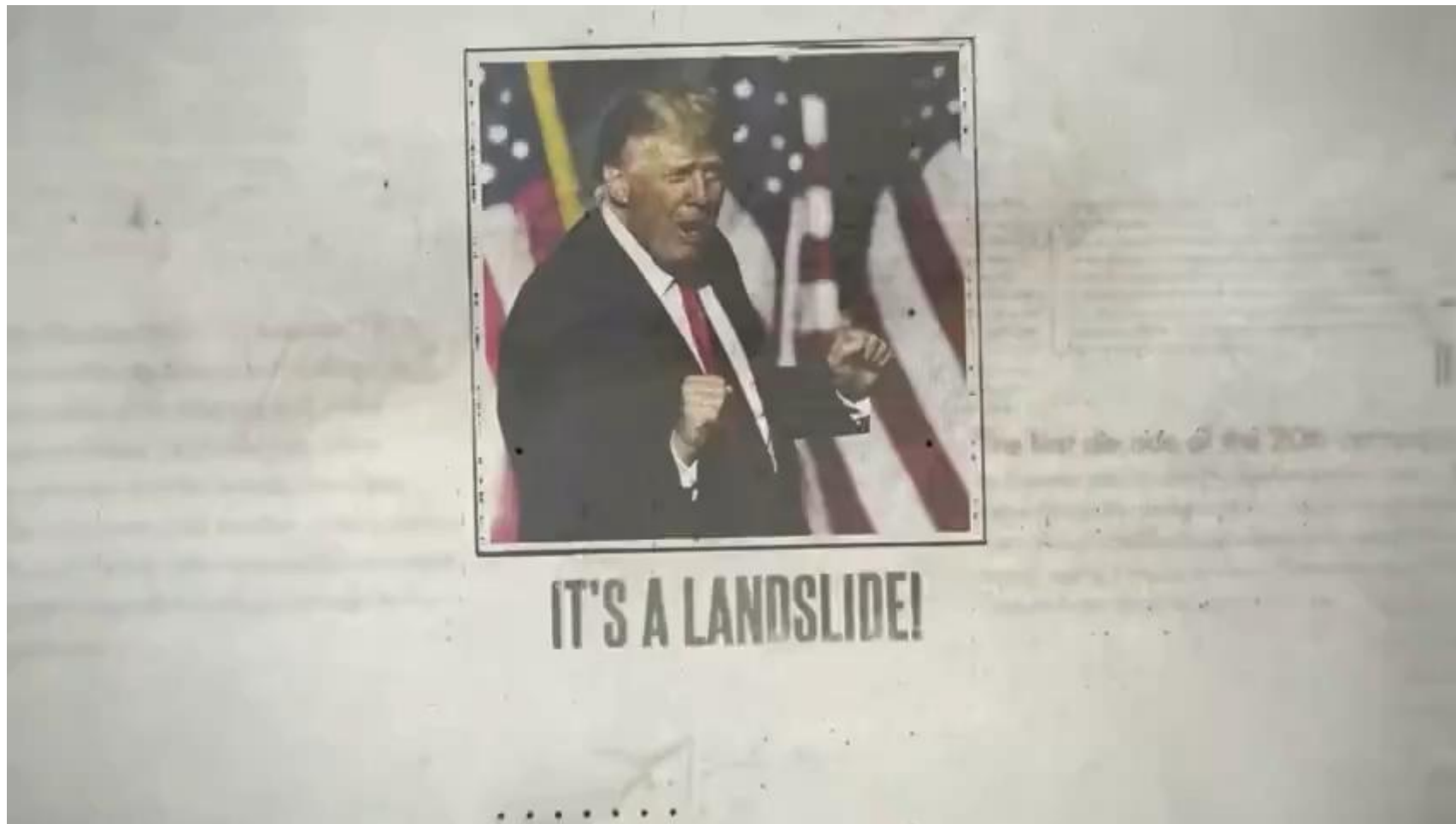
- There was denial:
 - [Alex] Castellanos insisted that the word had appeared accidentally as part of a visual effect which broke up words from campaign slogans into fragments and flashed them across the screen. The word "rats" was supposed to be part of "bureaucrats", he said (Borger, 2000).
- But this does not seem to us plausible, due to how the advert was made:
 - The word "bureaucrats" isn't broken up automatically by software, but by a technician. The choice of which block of text to display, and where, and for how long, are entirely up to the makers of the ad. "RATS" is the only discernible word placed in the sequence of frames, and that would not have happened accidentally.



INTENTIONAL COVERT EFFECT DOGWHISTLE?

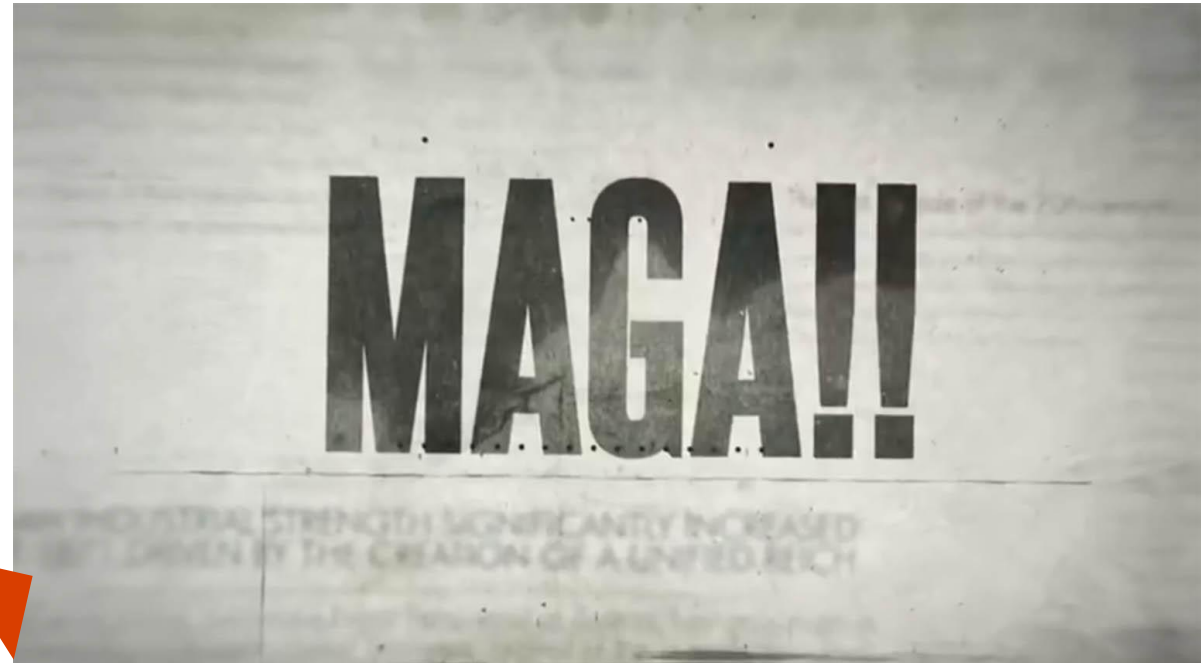
- Intended to influence audience in ways they are unaware of, and to conceal this via a covering message.
- This does seem to be how subliminal messaging is meant to work, and perhaps does work.

3. TRUMP NEWSPAPER ADVERT



'UNIFIED REICH'

- The term appears three times in the advert: here, the first & last uses



ORIGINS: ADVERT & TEMPLATE

- Created by a 3rd party (Dilley Meme Team), forwarded by Trump
- Employed a video template by Turkish designer Enes Şimşek
 - Intention: refer to WWII, but text taken from Wikipedia entry on WWI
- Dilley: changed other text
 - ‘Unified Reich’: text faded & blurred—but retained



DENIALS

- Trump campaign: disavowed association with the advertisement
- Claim: posted by an intern
- Previously: Trump claimed that only he & his campaign manager had access to his account

INTENTIONAL OVERT CODE DOGWHISTLE?

- Covering message which conceals another message, meant to be consciously received by a subgroup.
- The whole of the ad functions as the covering message, with the Unified Reich headline only available to those who know to slow the ad down.

4. POLICE



EQUESTRIAN GEAR



INTENTIONAL OVERT CODE DOGWHISTLE?

- Covering message which conceals another message, meant to be consciously received by a subgroup.
- Most people will see the vests from afar, and read them as saying “POLICE”.
- It’s only those who look closely who will see the message reading “POLITE”.

5. BACKMASKING

- Creating songs with messages that can only be heard when the songs are played backward

- Two theories of how they worked:
 - 1. People in the know acquired the right equipment to play the records backwards. (Like overt code dogwhistle)
 - 2. Listeners are influenced unconsciously. (Like covert effect dogwhistle)

BACKMASKING MEANT TO BE CONSCIOUSLY PLAYED BACKWARD

- Beatles's supposed "Paul is dead"
- Frank Zappa's swear words
- Pink Floyd: "Congratulations you've discovered the hidden message"
- Ozzy Osborne: "Your mother sells whelks in Hull"

INTENTIONAL OVERT CODE DOGWHISTLE?

- Covering message which conceals another message, meant to be consciously received by a subgroup.
- The covering message is the song played forward, and the subgroup message is the song played backward.

BACKMASKING: UNCONSCIOUS INFLUENCE?

- Unclear whether anyone has ever tried to do this!
- But taken seriously in Judas Priest trial...

2 Families Sue Heavy-Metal Band As Having Driven Sons to Suicide

By LARRY ROHTER

RENO, July 16 — Two days before Christmas in 1985, a pair of young Nevada men shot themselves after listening to albums by the heavy-metal band Judas Priest. Today the rock group and CBS Records went on trial in Washoe County District Court here, accused by the men's families of having driven them to suicide.

As the members of Judas Priest, dressed in dark business suits instead of the dark leather garb they favor on stage, looked on silently, lawyers for the families of Raymond Belknap and James Vance argued that the musicians had placed subliminal messages in several recordings, including the album "Stained Class," thereby inciting the two troubled young men to try to kill themselves. Both the group and its record label are charged in a civil suit with the liability arising from the manufacture and marketing of a faulty product, as well as negligence and intentional and reckless misconduct.

"Judas Priest and CBS pander this stuff to alienated teen-agers," said Kenneth McKenna, the lawyer for Mr. Belknap's family. "The members of the chess club, the math and science majors don't listen to this stuff. It's the dropouts, the drug and alcohol abusers. So our argument is you have a duty to be more cautious when you're dealing with a population susceptible to this stuff."

"Sad and Miserable Lives"

During an opening statement in court this morning, however, a lawyer for Judas Priest and CBS, Suellen Fulstone, argued that the two youths had lived "sad and miserable lives," and that the problems that led to their deaths began "long before any connection with heavy-metal music." She also said that "the risk that ideas may cause undesirable behavior" in a small and unstable segment of the

population "is a small price to pay for a free society."

Still, the unusual product-liability charges brought by the plaintiffs here are a source of new concern to record companies already worried about the recent arrest of members of the 2 Live Crew rap group on obscenity charges and efforts to put warning labels on recordings deemed to be harmful or obscene. If successful, the product-liability suit would force record companies to screen lyrics or face the possibility of having to pay huge punitive damages in similar cases.

In at least three previous incidents, in California, Georgia and New Jer-

At issue: Were messages of death buried below the music's surface?

sey, fans of heavy metal have killed themselves after listening to the album "Suicide Solution" by the rock singer Ozzy Osbourne, another artist who has recorded for CBS. The California case was dismissed before coming to trial when a court ruled that song lyrics were protected by the free speech provisions of the First Amendment. The Georgia case is still pending, and heavy metal is no longer a factor in the New Jersey case.

In this case, however, lawyers for the plaintiffs argue that the young men were driven to shoot themselves by the subliminal messages the musicians placed in the music, such as "Let's be dead" and "Do it." Though he has yet to decide whether the Judas Priest recordings had such material, Judge Jerry Carr Whitehead has ruled that such subliminal messages were not a form of speech

and therefore were not covered by First Amendment protections.

Lawyers for the Belknaps and Vance families have contended that some subliminal messages were masked by being played backward in songs, an argument Ms. Fulstone urged Judge Whitehead to dismiss as having no scientific basis. "The courtroom is no place for reveries about the unknown capacity of the human mind" to absorb such material, she said.

The essential facts of the case are not in dispute. After smoking marijuana and drinking beer while listening to songs from several Judas Priest albums, Mr. Belknap and Mr. Vance agreed to a suicide pact, went to a nearby church playground, and shot themselves in the head with a 12-gauge shotgun.

Mr. Belknap, 18 years old at the time, died instantly. Mr. Vance, then age 20, destroyed most of his face but survived, underwent several painful and costly reconstructive surgical operations, became a born-again Christian, lapsed back into drug consumption, and died late in 1988.

Both Were Troubled Dropouts

Both young men were high school dropouts with criminal records and both had problems holding jobs. Each also came from a family with a history of domestic violence and child abuse and had received counseling.

In a letter to Mr. Belknap's mother some time after the shootings, Mr. Vance explicitly blamed Judas Priest for encouraging the incident. "I believe that alcohol and heavy-metal music such as Judas Priest led us to be mesmerized," he wrote.

According to testimony Mr. Vance offered in preliminary hearings before his death, the two youths were listening to a song called "Beyond the Realms of Death" when "all of a sudden we got a suicide message, and we got tired of life." The song, whose lyrics were written by Judas Priest's lead singer, Rob Halford, include the lines: "Keep the world with all its sin / It's no fit for living in."

A spokesman for Judas Priest said today that no subliminal messages had ever been placed in any recording by the group. The musicians are expected to testify to that effect later in the trial, but declined to comment on any aspect of the case today, limiting themselves to signing copies of albums brought to the trial by some of their fans.

Commerce Before Mayhem

"I don't know what subliminals are, but I do know there's nothing like that in this music," said Bill Curbishley, who manages Judas Priest as well as the Who and Robert Plant, the former Led Zeppelin lead singer. "If we were going to do that, I'd be saying, 'Buy seven copies,' not telling a couple of screwed-up kids to kill themselves."

With the agreement of both sides, the case is being heard without a jury. At the conclusion of the trial, which is expected to last about a month, Judge Whitehead is to determine whether CBS Records and Judas Priest owe damages to the families. Both sides have promised to appeal the case all the way to the United States Supreme Court if necessary.

Outside the Washoe County Courthouse here, a small group of heavy-metal fans demonstrated, their music blaring from the radio of a pickup truck. "Alcohol, drugs and a 12-gauge shotgun killed those poor kids, not metal music," read one of the banners they carried.



K. K. Downing and Rob Halford of Judas Priest, who, along with other band members and CBS Records, went on trial in Reno.

INTENTIONAL COVERT EFFECT DOGWHISTLE?

- Some Satanic panic adherents alleged that backmasking functioned this way, influencing listeners unconsciously.
- No evidence of this.

DENIABILITY?

- It might seem that backmasked messages would not be plausibly deniable once they've been perceived. How else could they get there?
- But:

Halford says the turning point in the case came when he took the stand and played various backward passages from *Stained Class* that the band members scrutinized, using their imaginations in an effort to detect anything that sounded like a sentence. After finding a handful, including, "I-I-I asked her for a peppermint/I-I-I asked for her to get one," "Hey ma, my chair's broken," and "Help me keep a job," they played them for the judge, advising him what to listen for before they played the backward passages.

In a 93-page decision, Washoe District Judge Jerry Whitehead said that he could hear the subliminal commands, but that the words "Do it" were a combination of the singer's exhalation of breath on one track and a guitar on another track.

DENIABILITY?

- Backwards messages can occur accidentally.
- So backmasking does have plausible deniability.

PERSPECTIVAL DOGWHISTLES

- Standard dogwhistle: Background knowledge is what differentiates those who do and don't realise the message is there
- These examples: Perceptual perspective is what differentiates those who do and don't realise the message is there
 - Usually, these are a subcategory of overt code dogwhistles: consciously perceived if viewed from right perspective
 - An exception: some evidence that subliminal messages like 'RATS' may also work as covert effect dogwhistles

THANK YOU!